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6 Attorneys for Defendant
APRYL WESTON
7

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 MAKIAH MILES and APRYL
WESTON,

15 Defendants.
16

Case No. 1:22-cr-00129-ADA-BAM

**STIPULATION TO CONTINUE STATUS
CONFERENCE; ORDER**

Date: December 13, 2023

Time: 1:00 p.m.

Judge: Hon. Barbara A. McAuliffe

17 IT IS HEREBY STIPULATED by and between the parties through their respective
18 counsel, Assistant United States Attorney Joseph Barton, counsel for plaintiff, James Raymond
19 Homola, counsel for Makiah Miles, and Assistant Federal Defender Erin Snider, counsel for
20 Apryl Weston, that the Court may continue the status conference currently scheduled for
21 November 8, 2023, at 1:00 p.m. to December 13, 2023, at 1:00 p.m.

22 The parties agree and request that the Court make the following findings:

23 1. By previous order, this matter was set for a status conference on November 8,
24 2023, at 1:00 p.m.

25 2. The government has provided 3,449 Bates-marked pages of discovery in this
26 matter.

27 3. The parties are nearing a resolution and anticipate that both defendants will plead
28 guilty after a plea agreement is finalized.

5. Counsel for Ms. Miles and counsel for Ms. Weston require additional time to review discovery, consult with their clients regarding their options, conduct necessary investigation, and engage in plea negotiations.

6. Counsel for Ms. Miles and counsel for Ms. Weston believes that failure to grant the above-requested continuance would deny them the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

7. The government does not object to the continuance.

8. Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

9. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, *et seq.*, within which trial must commence, the time period of November 8, 2023, to December 13, 2023, inclusive, is excludable pursuant to 18 U.S. C. § 3161(h)(7)(A) and (B)(iv).

IT IS SO STIPULATED.

Respectfully submitted,

PHILLIP A. TALBERT
United States Attorney

Date: November 1, 2023

/s/ Joseph Barton
JOSEPH BARTON
Assistant United States Attorney
Attorney for Plaintiff

Date: November 1, 2023

/s/ James Raymond Homola
JAMES RAYMOND HOMOLA
Attorney for Defendant
MAKIAH MILES

HEATHER E. WILLIAMS
Federal Defender

Date: November 1, 2023

/s/ Erin Snider
ERIN SNIDER
Assistant Federal Defender
Attorney for Defendant
APRYL WESTON

ORDER

IT IS SO ORDERED that the status conference is continued from November 8, 2023, to **December 13, 2023, at 1:00 p.m. before Magistrate Judge Barbara A. McAuliffe**. Time is excluded pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv). However, in any request for a continuance, the parties shall explain when they will be ready to set a trial date.

IT IS SO ORDERED.

Dated: **November 1, 2023**

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE